

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: OSCAR L. STEPHENSON  
DAWN O. STEPHENSON

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

vs.

OSCAR L. STEPHENSON  
DAWN O. STEPHENSON

CASE NO: 5-13-06329-JJT

Respondent(s)

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on July 17, 2014, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney Agatha R. McHale, Esquire, and respectfully represents the following:

1. A Plan was filed on December 11, 2013.
2. A Confirmation hearing was held and an Order was entered on May 6, 2014 directing that an amended plan be filed within thirty (30) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable Plan.

Respectfully submitted,

/s/ Agatha R. McHale, Esq.  
Attorney for Trustee  
Charles J. DeHart, III  
Standing Chapter 13 Trustee  
Ste. A, 8125 Adams Drive  
Hummelstown, PA 17036  
717-566-6097

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**NOTICE TO PARTIES**

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

U.S. Bankruptcy Court Max Rosenn U.S. Courthouse Courtroom #2 197 S. Main Street Wilkes Barre, PA	Date: August 5, 2014  Time: 09:30 AM
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Any objection/response to the above referenced matter must be filed and served on or before:  
***August 3, 2014.***

If service was properly made and Respondent(s) fail to file an objection/response by the above specified date, the Court **may** determine after review of the Motion that no hearing is required and grant the relief requested.

If a default order has not been signed and entered, the parties or their counsel are required to appear in Court at the hearing on the above date and time.

Charles J. DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
Phone: (717) 566-6097

Dated: July 17, 2014

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**CERTIFICATE OF SERVICE**

AND NOW, on July 17, 2014, I, Vickie Williams, hereby certify that I served a copy of the Trustee's Motion to Dismiss, Notice, and Proposed Order either electronically or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, first class mail, postage prepaid, addressed to the following:

SCOTT AMORI, ESQ.  
AMORI & ASSOCIATES, LLC  
513 SARAH STREET  
STROUDSBURG, PA 18360

OSCAR L. STEPHENSON  
DAWN O. STEPHENSON  
6151 WOODCHUCK LANE  
E. STROUDSBURG, PA 18301

Respectfully Submitted,  
/s/ Vickie Williams  
for Charles J. DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
Phone: (717) 566-6097

Dated: July 17, 2014

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**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby  
ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED.